

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

In re:

CARICO, Connie Sue,

Debtor.

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Case No. 19-11757-KHK
Chapter 7

TRUSTEE'S OBJECTION TO EXEMPTION

Donald F. King, the Chapter 7 trustee in the above captioned case ("**Trustee**"), by counsel, files this objection to exemption claimed by Connie Sue Carico ("**Debtor**"), and, in support thereof, states as follows:

1. The Debtor filed a voluntary petition under Chapter 7 on May 28, 2019.
2. The Trustee is the duly qualified and acting Chapter 7 trustee for this estate.
3. The meeting of creditors under 11 U.S.C. § 341 was concluded on June 27,

2019.

Objection to Exemption Under Va. Code Ann. §§ 55-20.2 and 55-37

4. According to the Debtor's Schedule C filed with this Court and the Homestead Deed filed by the Debtor in the Prince William County land records, the Debtor claims a tenancy-by-the-entireties ("**T-by-E**") exemption pursuant to Va. Code Ann. §§ 55-20.2 and 55-37 in real property located at 3408 Fitchburg Court, Woodbridge, VA 22193 (the "**Property**").

5. According to the deed provided to the Trustee, it appears that the Debtor originally owned the Property in her individual name, then conveyed the Property by Deed of

Gift (i.e., without consideration) to herself and her spouse, Donna M. Sanderson, and then subsequently encumbered the Property with a new mortgage, within two (2) years prior to the bankruptcy filing, in order to create a T-by-E exemption and otherwise shield any equity that she had in the Property. The Trustee believes the transfer of the Property is avoidable under 11 U.S.C § 548.

6. Accordingly, the Trustee objects to the Debtor's claim of exemption under Va. Code Ann. §§ 55-20.2 and 55-37 as to the Property.

WHEREFORE, Donald F. King, Trustee, by counsel, requests that this Court disallow the attempted T-by-E exemption claimed by the Debtor in the Property and provide such further relief as this Court deems just and proper.

Respectfully Submitted,

DONALD F. KING, TRUSTEE
By Counsel

By: /s/ Donald F. King
Donald F. King (VSB No. 23125)
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